

**CITY OF BROKEN ARROW  
PLANNING COMMISSION MEETING  
MINUTES  
January 9, 2003**

The Planning Commission Agenda for this meeting was posted on January 7, 2003, at 11:00 a.m. on the City Hall Bulletin Board, 220 S. First Street.

1. The Broken Arrow Planning Commission met on Thursday, January 9, 2003, at 5:01 p.m.
2. Present: Robert Goranson, Chairman  
Renate Caldwell, Vice Chairperson  
Mike Lester, Commission Member  
Kal Desai, Commission Member  
Johnnie Parks, Commission Member  
  
Absent: None  
  
Staff Present: Farhad K. Daroga, City Planner  
Brent Murphy, Ass't City Planner  
Karl Fritschen, Staff Planner  
Joyce Snider, Admin Ass't  
April Parnell, Assistant City Attorney  
Don Slone, Community Development Coordinator  
Joseph Watt, Assistant City Engineer
5. Bob Goranson said the applicant for Item No. 5, BAZ 1579 and PUD 134, has requested that item be continued to the next Planning Commission meeting, January 23, 2003. The applicant, Roy Johnson, attorney, Alan Hall, engineer and Dave Markle, developer, were present and confirmed that they would prefer this item be continued to the next meeting.  
  
There were several persons present interested in this matter. One person in the audience asked if he could clarify some items so this matter would not have to be heard again. Bob Goranson said that if the item is to be continued, he would prefer not to have discussion on it at this meeting.  
  
**Motion** by Bob Goranson to continue Item No. 5, BAZ 1579 and PUD 134, to the next meeting, on January 23, 2003. The motion was seconded by Mike Lester.  
Yes: Parks, Desai, Lester, Caldwell, Goranson  
No: None  
**Motion Approved.**
3. The Commission considered the minutes of the regular Planning Commission meeting held December 19, 2003. **Motion** by Mike Lester to approve the December 19, 2002, minutes as presented. Motion seconded by Kal Desai.  
Yes: Parks, Desai, Lester, Goranson  
No: None  
Abstain: Caldwell  
**Motion Approved.**

4. The Commission considered the Consent Agenda. Farhad Daroga reviewed each item on the Consent Agenda.

**Motion** by Mike Lester to approve the Consent Agenda, as recommended by Staff excluding Item No. 4C. Motion seconded by Kal Desai.

Yes: Parks, Desai, Lester, Caldwell, Goranson

No: None

**Motion approved**

- 4A. PT02-129, DN02-217, St. Anne's Extended preliminary plat, R-1, C-3/SP 84, 27.86 acres, 1 lot, 2/3rds mile south of Kenosha Street, on the east side of 9<sup>th</sup> Street (Lynn Lane/177<sup>th</sup> East Avenue), 301 South Ninth Street, Sanders Engineering, Inc. (Engineer). The applicant was present. This plat was approved as recommended by Staff.
- 4B. PT02-130, DN02-218, (proposed subdivision no named) preliminary plat PUD 135, R-2, (BAZ 1580) 17.61 acres, 71 lots, ¼ mile south of Washington (91<sup>st</sup>) Street on the east side of 9<sup>th</sup> Street (Lynn Lane/177<sup>th</sup> East Avenue) 2701 South 9<sup>th</sup> Street, Independent Design Consultants (Engineer). The applicant was present. This plat was approved as recommended by Staff.
- 4C. PT02-131, DN02-222, Garnett Commons preliminary plat, 7.0 acres, C-5 (BAZ 1555), one-quarter mile north of West Kenosha Street, on the east side of Garnett Road, Hall, Rosenbaum & Associates, LLC (Engineer). This item was removed from the Consent Agenda.
- 4D. ST02-144, DN02-181, Cedar Ridge Christian Church site plan, a request to appeal light pole height requirement, 4010 West New Orleans, Tim Boeckman (Applicant). The applicant was present. This request was approved as recommended by Staff.
- 4E. ST02-150, DN02-220, A-1 Auto Body site plan, 1.99 acres, C-4, (BAZ 1584) 2201 West Vancouver Street, Hall, Rosenbaum & Associates (Applicant). The applicant was present. This plat was approved as recommended by Staff.
- 4F. ST02-151, Atlanta Center site plan, 1.36 acres, C-3 (BAZ 1565) approximately 380 feet east of Elm Place on Atlanta Street, Hall, Rosenbaum & Associates, LLC (Applicant). The applicant was present. This plat was approved as recommended by Staff.
- 4G. BAL 822, DN02-219, Lots 13, 14, 15 and 16, Block 9, Northside Addition, R-3, Kenneth D. Hartzler (applicant/owner). The applicant was present. This plat was approved as recommended by Staff.

#### **END OF CONSENT AGENDA**

5. BAZ 1579, PUD 134, Arlington Court, (BACP 44) 8.82 acres, R-1 to R-4 and PUD, between 67<sup>th</sup> Street and 68<sup>th</sup> Street, on the east side of Olive Avenue, Hall, Rosenbaum & Associates, LLC (Applicant). This item was continued to the Planning Commission of January 23, 2003 earlier in the meeting.

6. The Commission considered BAZ 1585, PUD 133, Cacy Mini-storage, 20.30 acres, (BACP 42) A-1 to IS, FD and PUD, immediately north of the Creek Turnpike on the east side of 9<sup>th</sup> Street (Lynn Lane/177<sup>th</sup> East Avenue) Lewis Engineering (Applicant). Farhad Daroga presented the background, saying this is a mini-storage project and approximately seven acres of the property is in the flood plain.

Bob Goranson asked if the applicant or his representative was present. The application was not present. There were no protestants present. Johnnie Parks said when this was discussed previously, all the units were to be located on the south side of the property and asked if that was still the plan. Farhad Daroga said the south half will be used for the mini-storage project, the north half will remain as it is. Discussion followed regarding whether the applicant is in agreement with the conditions and this could not be determined.

**Motion** by Johnnie Parks to move this item to the end of the agenda. The motion was seconded by Mike Lester.

Yes: Parks, Desai, Lester, Caldwell, Goranson

No: None

**Motion approved**

7. The Commission considered PUD 3A, request for extension of Margaret Hudson Program, 1.72 acres, O-2, 3104 South Elm Place, Lot 3, Block 1, Vandever Acres Office Park, Helen Feuerborn (Applicant). Farhad Daroga presented the background, saying this application is part of PUD 3, south of the Broken Arrow Medical Center. He said the PUD will expire at the end of 2003 and the applicant is asking that it be extended through December 31, 2004. He said a new site has been acquired, funds are being raised and a facility will be constructed as soon as funds are available.

Joan Newberry, representing Executive Director Helen Feuerborn, said the funds are being raised to build the facility and they want to be sure the PUD does not expire. There were no protestants present.

**Motion** by Mike Lester to recommend approval of PUD 3A, extending it through December 31, 2004. The motion was seconded by Renate Caldwell.

Yes: Parks, Desai, Lester, Caldwell, Goranson

No: None

**Motion approved**

Bob Goranson said this item will be considered by the City Council on February 3, 2003, at 7:30 p.m.

8. The Commission considered BAZ 1589, 1.84 acres, I-2 to I-1, at the end of West Detroit Street, adjacent to Graham Franklin Industrial Park and the Missouri, Kansas & Texas Railroad, one-third mile west of Elm Place, Record-Walker, LLC, (Applicant). Farhad Daroga presented the background, saying this zoning will allow easier setbacks for the owners. The applicant was present and said he had nothing to add. There were no protestants present.

**Motion** by Mike Lester to recommend approval of BAZ 1589 as recommended by Staff. The motion was seconded by Renate Caldwell.

Yes: Parks, Desai, Lester, Caldwell, Goranson

No: None

**Motion approved.**

8. continued

Bob Goranson said this item will be considered by the City Council in their meeting of February 3, 2003, at 7:30 p.m.

9. The Commission held a public hearing on the Amendment of and an update to the Broken Arrow Comprehensive Plan, Area 1, located within County Line Road (19300 East Avenue), 31<sup>st</sup> Street, Evans Road (225<sup>th</sup> East Avenue), and Omaha Street (51<sup>st</sup> Street); and Area 2, located within County Line Road (19300 East Avenue), New Orleans Street (101<sup>st</sup> Street), 209<sup>th</sup> East Avenue, and Creek Turnpike. Farhad Daroga said this is the advertised public hearing for the Comprehensive Plan Update for the two areas annexed into Broken Arrow since the adoption of the Broken Arrow Comprehensive Plan in 1997. He said the first area is New Tulsa which adjoins Fair Oaks. The second area is south of NSU on the east side of County Line Road, adjoining the Turnpike. He said the study area encompasses 3,280 acres of land. He said the practices and principles of the existing Comprehensive Plan have been acknowledged and include flood plain properties.

Karl Fritschen outlined the amendments previously discussed by the Commission. The floor was opened to the public.

Anna Wilkerson asked what the City is trying to do and how it would affect her and her neighbors.

Farhad Daroga said the City adopted a master plan in 1997 and said the areas being discussed were not in the City at that time. These area have been studied over the past year, two town meetings have been held and it is being suggested that the same principles and practices of the existing Master Plan be applied to the two areas in question.

Doug Lawson, 20675 East 51<sup>st</sup> Street, asked about annexation of this area and Farhad Daroga said some of this area has been annexed into Broken Arrow. He explained the general annexation policies of the City.

Steve Lewis asked about annexation policies and whether mobile homes were located in these areas and said he didn't want industrial development in his area.

Mildred Ayres asked for a map of Area One. Karl Fritschen said he would provide one to her. Johnnie Parks asked if the island of area in Area Two was in the flood plain area and Karl Fritschen said it is not in the 100 year flood plain, but it is in the 500 year flood plain. The plan for the trail was discussed briefly.

Bob Goranson left the meeting at 5:42 p.m.

Richard Turner, 111610 193<sup>rd</sup> Street, said he has been using his property for industry for 30 years and didn't want his zoning changed and it was explained to him that his property was zoned A-1 but he was grandfathered in to use his property as he was presently.

**Motion** by Mike Lester to recommend approval of the update and amendment of the 1997 Comprehensive Plan as recommended by Staff. The motion was seconded by Kal Desai.

Yes: Parks, Desai, Lester, Caldwell

No: None

**Motion approved**

Renate Caldwell said this item will be considered by the City Council in their meeting of February 3, 2003, at 7:30 p.m.

10. **ITEMS REMOVED FROM CONSENT AGENDA**

- 4C. The Commission considered PT02-131, DN02-222, Garnett Commons preliminary plat, 7.0 acres, C-5 (BAZ 1555), one-quarter mile north of West Kenosha Street, on the east side of Garnett Road, Hall, Rosenbaum & Associates, LLC (Engineer). Farhad Daroga presented the background, saying the plat was presented to the Commission with six listed conditions. He said Staff recommends Condition No. 6, which relates to alignment of 68<sup>th</sup> Street, be deleted and be addressed with the conditional final plat.

**Motion** by Mike Lester to approve PT02-131, the Garnett Commons preliminary plat with the listed conditions, and the exception of Condition No. 6. The motion was seconded by Johnnie Parks.

Yes: Parks, Desai, Lester, Caldwell

No: None

**Motion approved**

6. The Commission considered BAZ 1585, PUD 133, Cacy Mini-storage, 20.30 acres, (BACP 42) A-1 to IS, FD and PUD, immediately north of the Creek Turnpike on the east side of 9<sup>th</sup> Street (Lynn Lane/177<sup>th</sup> East Avenue) Lewis Engineering (Applicant).

**Motion** by Mike Lester to continue BAZ 1585 and PUD 133 to January 23, 2003. The motion was seconded by Johnnie Parks.

Yes: Parks, Desai, Lester, Caldwell

No: None

**Motion approved**

11. **DISCUSSION ITEMS**

- 11A. Review of proposed Section 21, Article VIII, of Zoning Ordinance (No. 1560) Outdoor Lighting.

Farhad Daroga said Staff held a meeting today to discuss this. Mike Lester asked what is Staff's basic concept. Farhad Daroga said the concept was two-fold, there would be dual standards; one would be to consider the pole height for smaller projects where there is insufficient funds to have a photometric plan completed, and there would be height limits on light poles, with setbacks. He said the second standard would be submittal of a photometric plan showing an amount of light at the property boundary, with measurements of lumens or foot candles.

Mike Lester asked if the burden would fall on those who install lights to prove whether the light intensity is as it should be if there is a complaint, or does it fall on City Staff? Farhad Daroga said enforcement after installation will be on City Inspections. Mike Lester asked if it could be structured so that it would be the responsibility of the light installer or developer to provide proof of compliance, rather than place the burden on already over-burdened Staff.

11A. continued

Allen Stanton said Staff has spent considerable time on the structure of a proposal and will have sufficient provisions in their proposal so that Staff and the Planning Commission will feel comfortable in recommending approval of a lighting standard. He said he would create an enforcement ordinance that will be placed in the Building Code to give his department the tools with which to enforce the lighting standard.

Allen Stanton said the primary problem is the lack of standards which would enable the Building Inspection Department to solve the problems they encounter. So, this effort may seem complex, but it is necessary.

Mike Lester asked if a 20-foot standard for light pole height has been investigated. Allen Stanton said permissible heights will be listed in the ordinance, as well as boundary setbacks, fixture types to allow contractors some latitude. He said there will be some limitations as well and talked about guidelines that will be built into the ordinance. He requested that this issue be continued until the first meeting in February to give Staff additional time to work on the ordinance. Discussion followed.

**Motion** by Mike Lester to continue this item to the February 13, 2003 Planning Commission meeting. The motion was seconded by Kal Desai.

Yes: Parks, Desai, Lester, Caldwell

No: None

**Motion approved**

12. **REMARKS, INQUIRIES AND COMMENTS BY PLANNING COMMISSION AND STAFF**  
**(NO ACTION)**

None.

11. **Motion** by Kal Desai at 6:08 p.m. to adjourn. Motion seconded by Johnnie Parks.

Yes:

No: None

**Motion approved.**